

Legislative Workshop Minutes of the  
Arizona Game and Fish Commission  
Thursday, September 6, 2001 – 2:00 p.m.  
Show Low Town Council Chambers  
200 W. Cooley, Show Low, Arizona

PRESENT: (Commission)

(Director's Staff)

Chairman Dennis D. Manning  
Commissioner Michael M. Golightly  
Commissioner Joe Carter  
Commissioner Sue Chilton

Director Duane L. Shroufe  
Deputy Director Steve K. Ferrell  
Asst. A.G. Jay R. Adkins  
Asst. A.G. Jim Odenkirk  
Legislative Liaison Richard L. Stephenson

### 1. Legislative Workshop

**Presenter:** Richard L. Stephenson, Legislative Liaison

There were five issues discussed for possible Department legislation. No action was taken. (For additional background on proposed state legislation for 2002, see Commission meeting minutes for August 10, 2001, pages 12-13.)

#### Fishing Tournament Permits; repeal penalty

Repealing the penalty for conducting fishing tournaments without a permit would involve opening ARS §17-309(A) (23). There was concern about opening ARS §17-309 since it contains penalties for all Game and Fish violations.

#### Fraudulent Application for Hunting and Fishing Licenses and Big Game Permits

Proposed legislation would amend ARS §17-341 to increase the penalty from a class 3 to a class 2 misdemeanor for "obtaining" a license by fraud or misrepresentation, make it an equal offense to "intentionally apply for" a license or permit by fraud or misrepresentation, and amend ARS §17-340 to make violation of ARS §17-341 a revocable offense.

#### License Dealer Penalties

Auditors from the Auditor General's Office suggested, in its Performance Audit of the Department, establishment of fines or late fees against license dealers to encourage dealers to submit paperwork on a more timely basis.

Monthly fees and reports: It was noted that there were no outstanding monies due after the 30-day grace period for June 2001 sales; a couple of hundred dollars were lost in interest from not having all the receipts in to the Department by the beginning of the 30-day grace period. A number of remedies could be pursued, including retention of the dealer's 5% commission, if fees were not remitted by the beginning of the 30-day grace period, i.e., the 10<sup>th</sup> of the month.

The other issue dealt with not meeting the deadline for submitting annual reports. It is a Class 1 misdemeanor and a possible Class 6 felony if the 30-day grace period is not met.

Mr. Stephenson noted ten license dealers who have gone out of business since 1994 still owe us a significant amount of money. Unsold or missing licenses are appraised at the highest amount at which they could have been sold (nonresident Class F combination).

The question is what is the problem and how big is it. Dealers seems to be meeting the monthly 30-day grace period.

Chairman Manning and Commissioner Golightly agreed legislation should not be pursued on this issue.

Director Shroufe noted the Department was getting a lot of pressure from license dealers in the 1980s with regard to bonding requirements. The Department lost bonding authority and went to another type of regulation. When the Department lost bonding authority, it lost ability to collect any monies due. The auditors felt it was not good business practice to delay collection of monies past the 10<sup>th</sup> of the month and wanted to ignore the 30-day grace period. The Department could not say it was not going to do anything about the issue.

Commissioner Chilton asked what the Department was getting for keeping its current policy vs. having a more stringent policy. Chairman Manning asked if the Department lost a significant number of dealers.

Jim Burton, Assistant Director for Information and Education, stated Department regional staff determines proximity and necessity of having a dealer in a location. Director Shroufe stated telephone license sales and Internet sales have affected dealers and the Department would lose a lot of smaller dealers.

Commissioner Carter suggested going forth to the legislative Oversight Committee with a position on this issue. He was concerned with the issues of unreported or missing stock and dealers going out of business. The Department might want to adopt a policy dealing with that issue short of legislation.

Chairman Manning stated small dealers were not concerned about making profits from license sales because they made profits from the sale of sporting supplies.

Commissioner Golightly thought the Department could start with Commissioner Carter's recommendation.

Mr. Stephenson noted the Commission could demand at any time to have all monies remitted, but the dealer still would have 30 days. Commission rule tells the Department how and when to implement this.

One option is to have the Department look into opening a folder before going to the Joint Legislative Audit Review hearing. The Department could go to the hearing and argue for policy changes, etc., and not to do legislation. Chairman Manning thought this would be a good way to proceed.

Commissioner Golightly asked if a state agency has authority to assess late charges. Mr. Stephenson stated a state agency could not assess penalties without legislation.

Commission Declare City/County Ordinances “Invalid”

Commissioner Carter noted there were laws in existence; the problem was how to deal with the issue.

Mr. Stephenson handed out copies of the language that Legal Council and he worked out last year, which restated what was believed to be law. Recently, there was a formal Attorney General opinion regarding another but similar matter that restated counties have only those authorities that the Legislature gave them. It seems that the Department's issue was close to that and the Commission has statutory authority. Chairman Manning stated the Commission should retain and maintain ability to manage wildlife in Arizona.

Commissioner Carter asked if legislation involved other state agencies. Director Shroufe stated it had involved the Department of Water Resources, Department of Transportation, Department of Environmental Quality; but it really boiled down to just the State Land Department and Game and Fish. The Governor's Office deleted from the bill those other agencies as there were some legitimate conflicts that weakened the language.

Commissioner Carter stated proposed legislation should be coordinated with the Governor's Office. Director Shroufe stated the issue could be revisited in the next few weeks. The Department received direction from the Commission that required legislative action be taken.

Commission and Board Member Compensation

The idea to look at compensation rates for commissioners and board members follows a survey of compensation for other western state commissioners. Currently, ARS §38-611 establishes a maximum rate of \$30/day. There are about 60 different boards and commissions in Arizona using this rate; however, many of these are only advisory and there are a number that have an annual cap of \$3000 per commissioner or board member.

Chairman Manning did not want Game and Fish to propose legislation that would affect all boards and commissions in the state. Some were not as busy as the Game and Fish Commission and some were almost insignificant. Time and responsibility should be considered.

Another handout was provided that listed other rumored public policy issues that may be proposed by someone other than Game and Fish. These were briefly reviewed and discussed. Of special note was a Mearn's quail stamp or special status. Commissioner Carter opposed legislation stating how money from this stamp would be used. Mr. Taubert added that the most current data was used in the recent Mearn's quail report. Director Shroufe stated this would be a Prop 108 issue. It would be acceptable to help the group draft legislation but he did not want the Department to be in the forefront on this issue. Another issue to note was the Joint Legislative Review Committee on Game and Fish fees that was tied to the Department's fee increase. Commissioner Carter thought that the Legislature needed to be educated on the Game and Fish budget. Mr. Stephenson added that the due date for the Committee to report was in 2004, but he expected the Committee would report by December of this year.

Discussion occurred regarding the legislative reception scheduled for January 2002. Commissioner Carter stated it was a good way to present information on Game and Fish. The Commission should have material to distribute to the legislators at the reception. Director Shroufe noted a sponsor needed to be found for the reception. Different strategies were discussed briefly; Chairman Manning tabled the issue for a later date when Commissioner Gilstrap would be present for the discussion.

Additional handouts showed leaders in the House and Senate (subject to change) and incumbent legislators and proposed new districts with breakdown of population make up.

**Motion:** Carter moved and Chilton seconded THAT THE MEETING ADJOURN.

**Vote:** Golightly, Carter and Chilton - Aye  
Chair voted Aye  
Gilstrap – Absent  
Motion carried

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Meeting adjourned 3:55 p.m.

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Minutes of the Meeting of the  
Arizona Game and Fish Commission  
Friday, September 7, 2001 – 8:00 a.m.  
Saturday, September 8, 2001 – 8:00 a.m.  
Pinetop-Lakeside Town Council Chambers  
1360 N. Niels Hansen Lane  
Lakeside, Arizona

PRESENT: (Commission)

(Director's Staff)

Chairman Dennis D. Manning  
Commissioner Michael M. Golightly  
Commissioner Joe Carter  
Commissioner Sue Chilton

Director Duane L. Shroufe  
Deputy Director Steve K. Ferrell  
Asst. A.G. Jay R. Adkins  
Asst. A.G. Jim Odenkirk

Chairman Manning called the meeting to order at 8:02 a.m.

1. Executive Session

- a. Legal Counsel. *Forest Guardians v. APHIS*, CIV 99-61-TUC-WDB; *State of Arizona v. Norton*, CIV 98-0632-PHX-ROS; *Conservation Force v. Shroufe*, CIV 98-0239 PHX-RCB; *In Re General Stream Adjudication for the Little Colorado River and Gila River*; *Center for Biological Diversity v. Dombeck et al.*, CIV 00-1711-PHX-RCB and *Mark Boge v. Arizona Game and Fish Commission & Shroufe*, CIV 2000-020754.
- b. Purchase of Real Property and Associated Water rights
- c. Litigation. Cause of action associated with Page Springs Fish Hatchery
- d. Legal Counsel. Commission's license revocation hearing process
- e. Legal Advice. Potential litigation involving Bellemont Shooting Facility

**Motion:** Carter moved and Golightly seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

**Vote:** Golightly, Carter and Chilton – Aye  
Chair voted Aye  
Gilstrap – Absent  
Motion carried

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Meeting recessed 8:02 a.m.

Meeting reconvened 9:10 a.m.

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Chairman Manning called the meeting to order at 9:10 a.m. Members of the Commission and Director's staff were introduced. Commissioner W. Hays Gilstrap was not present at today's meeting. The meeting followed an agenda dated August 17, 2001.

## 2. An Update on Current Issues, Planning Efforts, and Proposed Projects on Federal Lands in Arizona and Other Matters Related Thereto

**Presenter:** John Kennedy, Habitat Branch Chief

A copy of the printed update, which was provided to the Commission prior to today's meeting, is included as part of these minutes.

Mr. Kennedy noted two items covered in the briefing. One referenced page 2, under the Tonto National Forest. He received an update from the Forest Supervisor two days ago requesting that a change be made to "the forest ordered restrictions on recreational shooting amounting to 80,000 acres with no impacts to hunting opportunities in the area." The Forest Service, Bureau of Land Management and Game and Fish are currently working on an aggressive program for responsible recreational shooters on all the forests. Kerry Baldwin, Education Branch Chief, would provide more detail later today.

The second item referenced page 4 regarding an update on the Mount Graham red squirrel issue. Randall Smith from the Coronado National Forest was present at today's meeting to answer any questions. Also available to address issues were Gerry Perry, Region V (Tucson) Supervisor and Terry Johnson, Nongame Branch Chief.

Commissioner Carter commented on efforts to open access in the Rattlesnake Mesa area. Efforts should be made to get the county involved since it has road maintenance equipment in the area.

Commissioner Carter addressed the red squirrel habitat issue. He was concerned that there was no specific action plan by the Department or the federal land management agency; all that was being done was an annual assessment of the impacts. Mr. Kennedy stated the recovery plan and team have been organized since 1993 for the Mount Graham red squirrel and the Department is a participant.

Mr. Smith gave an overview of the status and history of the disease situation. The situation started in about 1992-93 as a result of winter ice storm damage to trees that made the forest easily receptive to damage by spruce bark beetles. Following was a series of droughts. In 1997-98, there was damage done by caterpillars that started defoliation of large areas of spruce trees. This caterpillar was not known in the past to cause this type of defoliation. This caused further stress on the trees; however, the insect did crash on its own. Another insect appeared (the spruce aphid) that was unknown in this country until 10 years ago. These insects do not kill trees but cause additional stress to trees. All of these factors allowed an incredible explosion of the spruce bark beetle in 1998. Once the beetle infects a tree, the tree dies and nothing can be done to eliminate the beetle or protect the tree. Preventative measures are complex and species specific. The best preventative is an insecticide (carbaryl), which has to be repeatedly sprayed on the entire trunk or base of the tree. The feasibility to do this in a large area or on a large landscape is costly. Experimental pheromones have been used around the astrophysical observatory to attract and trap the bark beetles. It is effective to a limited degree only. Action was to identify high value areas where removal of infected trees might occur. As soon as the trees are infected, they are removed before the beetle colonies mature. This strategy worked on a limited area.

The Forest was looking at the mountain as more of a whole. Several things are being done since there was concern about the Douglas fir bark beetle, which causes extensive damage. Efforts are under way to do thinning in 1000 acres of trees 9" or less in diameter.

Efforts will be started to monitor for the Douglas fir bark beetle. There have been recent developments in effective anti-aggregate pheromones that are reasonable to use in cost. These are artificial chemicals that mimic the natural pheromones of the Douglas fir bark beetle. These chemicals emit signals to other beetles that beetles are already attacking a tree and not to enter. These have proven to be effective. Silviculturalists and entomologists have been used as consultants and research continues. It is hoped there will be a favorable combination of factors that will occur naturally to cause the spruce bark beetle population to crash.

Commissioner Carter stated he heard about 16,000 trees in approximately 1500 acres were dead at this point. He asked about a management plan with respect to this situation. Mr. Smith noted experts were researching the situation. From a silvicultural point of view, not that much can be done. The standing dead trees will provide shade for the younger saplings and seedlings that are not attacked by the bark beetle. There is a residual understory. If there was an attempt to do something, the situation may become worse. The biggest concern was with a catastrophic fire occurring; therefore, it has been suggested to take a look at doing some strategic fuel breaks to break the block into smaller areas. The Forest was looking more at doing thinning in mixed conifer areas where the forest is healthier.

Commissioner Carter asked about the red squirrel populations. Mr. Smith stated the preferred food source for squirrels is Douglas fir cones. Because of this, present management would continue on the mixed conifer forest where the Douglas fir maintains the red squirrel.

Mr. Smith stated monitoring protocol strategy would involve looking at known sites. Information would continue to be gathered outside the known areas. Census techniques continue to improve.

Commissioner Carter asked about a time frame to implement modifications or various alternatives. If work was ongoing outside established protocol areas, are those factors being included in determination of population levels. Mr. Smith stated they were qualitatively, but quantitatively those areas have not been included.

Commissioner Carter asked about the refugium access. Would the occurrence of the infestation, coupled with the downturn in the estimated red squirrel population, have a negative impact in opening areas. Mr. Smith stated not in the overall effort to open the area to the public but it may indirectly defer resources and time.

Commissioner Carter asked about reaction from the U.S. Fish and Wildlife Service (FWS). Mr. Smith stated the FWS was probably waiting for a formal proposal from the Forest Service. There have been no regular dialogs between the Forest Service and Fish and Wildlife Service.

Commissioner Chilton asked how the priority could be raised regarding the infestation to that equivalent to a forest fire. The infestation was not getting the same level of resource priority that a fire would but it was having a similar impact. Mr. Smith stated there was not much that could be done to eradicate or control the spruce bark beetle. Currently, it has not been a lack of financial resources. Thinning and prescribed burnings may hold back wild fires. Congress has allocated money to do thinning. Special monies would be requested for monitoring. A positive response has been received for proactive work to continue to prevent Douglas fir beetle damage.

Commissioner Golightly asked questions about the Mount Graham Red Squirrel Recovery Team. Mr. Smith gave a briefing on the team makeup, the Game and Fish Department's role, and the team's lead. The FWS is in the process of inviting people to participate on the reconvened team. Last time, the team was basically an inter-agency representation. This time the team will be comprised of people with the right skills, i.e., silviculturalists, pest management, entomologists and species experts. This team will make recommendations to the agencies. Mr. Kennedy noted there would likely be representatives on the team from the Department's Habitat Branch and Nongame Branch. Mr. Johnson noted the recovery team leader could be someone from an outside group; the FWS representative would be the liaison between the team and the FWS. The FWS's intentions and composition of the team were currently unknown.

Commissioner Golightly asked about the University of Arizona's funding for the recovery. Mr. Johnson stated the University money has been focused on the observatory site itself and monitoring squirrels in the nearby vicinity. The University funded research on the mountain that was relevant to the red squirrel issue and impacts from the observatory. The University does not have funding to look at mountain-wide issues and has deferred to land management agencies and the Game and Fish Department.

Commissioner Carter stressed that the Department had better be a policy level player on the reconstituted team. He did not want the Department to only bring technical expertise to the team. He did not want others to make policy decisions.

Mr. Kennedy provided more information regarding the Heber-Reno Sheep Driveway. There were two separate issues under the Apache-Sitgreaves (A-S). The Department had specific concerns associated with the Beehive-Sheep Springs AMP as well as the lack of analysis and willingness by the Forest Service to analyze the effects associated with the Heber-Reno Sheep Driveway. The Driveway involves both the A-S and Tonto National Forests and was not in the planned NEPA schedule for either of the national forests. He was unsure when the analysis would occur. An attempt would be made to address concerns through the planning process on the AMP ID Team and to continue to track the forests in the analysis of the Driveway itself. Mr. Kennedy noted the Department was concerned that the analysis has not occurred on the Beehive-Sheep Springs Allotment. With regard to the court order that applied to and came out of the A-S, the Department believed the Driveway and the Beehive-Sheep Springs AMP were connected as was also noted in the court order.

Commissioner Golightly asked about the June 1 entry date being detrimental to wildlife, e.g., antelope, yet the Forest Service wants to allow the June 1 vs. the July 1 entry date.



Mr. Kennedy stated this had nothing to do with the court decision. Mr. Kennedy noted the update stated the Department was in potential disagreement with the Forests. Commissioner Golightly noted the Department should be ready to respond to the Arizona Antelope Foundation and Arizona Desert Bighorn Sheep Society. Mr. Kennedy stated the Department was prepared to support claims that the June 1 entry date was too early. The Department was participating on the team. The Department would be developing strategies associated with the Driveway. Director Shroufe added the Department was not included the Driveway issue.

Director Shroufe recommended THAT THE COMMISSION DIRECT THE DEPARTMENT TO DRAFT A LETTER TO THE REGIONAL FORESTER REQUESTING THAT THE A-S AND THE TONTO NATIONAL FORESTS INITIATE THE ANALYSIS OF THE SHEEP DRIVEWAY AND INCLUDE THE DEPARTMENT AS A FULL INTER-DISCIPLINARY TEAM MEMBER IN THAT ANALYSIS. Director Shroufe noted he would personally deliver the letter to the Regional Forester after the Chairman signed the letter.

**Motion:** Carter moved and Golightly seconded THE ABOVE DIRECTION.

**Vote:** Golightly, Carter and Chilton – Aye

Chair voted Aye

Gilstrap – Absent

Motion carried

Mike Rising of the A-S Range, Watershed and Wildlife staff, spoke regarding the Driveway. Next week, a letter would be sent regarding initiation of the ID Team. Meetings have been held with the Tonto National Forest and an ID Team has been developed for the Driveway. The decision maker would be the Forest Supervisor on the A-S; the Tonto would be the ID team leader. The FWS and the Game and Fish Department would be participants on the Team. More information was provided regarding use of the Driveway. Both permittees would be involved in the process.

Mr. Odenkirk made a recommendation to the Commission that was a follow-up to discussion in executive session regarding the ongoing litigation (*State of Arizona vs. Norton*). The recommended motion to address the issue was stated: THAT THE COMMISSION DIRECT THE COMMISSION'S ASSISTANT ATTORNEY GENERAL REPRESENTATIVES TO PROCEED WITH THE CHALLENGE TO THE BLM'S BURRO MANAGEMENT POLICY AS DESCRIBED IN THE BLM'S AMENDMENT AND ENVIRONMENTAL ASSESSMENT TO THE LOWER GILA NORTH MANAGEMENT FRAMEWORK PLAN AND THE LOWER GILA SOUTH RESOURCE MANAGEMENT PLAN. THE PURPOSE OF THIS CHALLENGE IS TO REDUCE THE IMPACT OF WILD BURROS IN THE ALAMO WILDLIFE AREA AND THAT SUCH IMPACT IS PREVENTING THE COMMISSION FROM MEETING ITS WILDLIFE CONSERVATION AND REHABILITATION OBJECTIVES AS AUTHORIZED BY THE FISH AND WILDLIFE COORDINATION ACT. IT WAS FURTHER MOVED THAT THE COMMISSION AND THE DEPARTMENT PURSUE OPPORTUNITIES THAT WOULD GIVE THE BLM MORE OPTIONS TO MANAGE, PROCESS AND RELOCATE WILD BURROS EITHER THROUGH EXISTING STATUTES, REGULATIONS AND POLICIES, OR

THROUGH POTENTIAL AMENDMENTS TO THE WILD HORSE AND BURRO ACT.

**Vote:** Golightly, Carter and Chilton – Aye

Chair voted Aye

Gilstrap – Absent

Motion carried

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Chairman Manning recognized former Commissioner Bill Berlat who was present at today's meeting.

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3. Request for the Commission to Approve the Agreement (for Right-of-Way) with Arizona Public Service for the Purpose of Continuing Service for Construction, Operation and Maintenance of Electric Poles and Lines that Provide Electricity to Ben Avery Shooting Facility, Maricopa County, Arizona

**Presenter:** John Kennedy Habitat Branch Chief

Arizona Public Service (APS) requested an extension of an agreement for right-of-way for the purpose of continuing service for the construction, operation and maintenance of electric poles and lines providing electricity to the Ben Avery Shooting Facility (BASF).

This agreement would serve to grant APS a 10-year, six-foot wide utility right-of-way to provide electrical service and necessary maintenance. The Department determined that the electric service is necessary for operation of the BASF and of direct benefit to the Commission. This agreement is in the public interest and is consistent and compatible with the operation of the BASF. Fees have been recommended at \$1200 for the term of the agreement. The 10-year agreement will remain current through May 17, 2009.

**Motion:** Carter moved and Chilton seconded THAT THE COMMISSION VOTE TO APPROVE THE AGREEMENT (FOR RIGHT-OF-WAY) WITH ARIZONA PUBLIC SERVICE FOR THE PURPOSE OF CONTINUING SERVICE TO CONSTRUCT, OPERATE, AND MAINTAIN ELECTRIC POLES AND LINES THAT PROVIDE ELECTRICITY TO THE BEN AVERY SHOOTING FACILITY, MARICOPA COUNTY, ARIZONA, AND EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL. IN ACCORDANCE WITH TITLE §17-241.B., THE AGREEMENT IS SUBJECT TO THE APPROVAL OF THE GOVERNOR AND STATE LAND COMMISSIONER.

**Vote:** Carter and Chilton – Aye

Chair voted Aye

Golightly – Absent for the vote

Gilstrap – Absent

Motion carried

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Meeting recessed 10:15 a.m.

Meeting reconvened 10:28 a.m.

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4. The Distribution of Herbaceous Forage between Domestic Livestock and Wild Ungulates in the 4B/3C Analysis Area in the Apache-Sitgreaves National Forests

**Presenter:** John Kennedy, Habitat Branch Chief  
Sharen Adams, Habitat Program Manager, Region I (Pinetop)  
Kate Klein, District Ranger, Black Mesa Ranger District, A-S  
Kendall Hughes, Range Management Specialist, Black Mesa Ranger District, A-S

(For additional background, see Commission meeting minutes for August 10, 2001, pages 9-11 and December 8, 2000, pages 5-9.)

Mr. Kennedy gave the introduction to the presentation.

A process for determining appropriate distribution of herbaceous forage between domestic livestock and wild ungulates has been proposed for incorporation into the Forests' allotment management planning efforts and the Department's elk population management objectives in Game Management Unit 4B and the Baca Sub Unit in Game Management Unit 3C. The process is essentially the same as the analysis and determination of herbaceous forage distribution in Game Management Unit 4A in 1998.

The process for determining the distribution of herbaceous forage between domestic livestock and wild ungulates involves substantial public involvement through public and Habitat Partnership Committee meetings. The public comment period closed on August 10, 2001.

The Department met with the Forest Service on August 21 to review public comments and evaluate alternative potential forage distributions. Based on a variety of factors, a recommendation was developed for the distribution of herbaceous forage between domestic livestock and wild ungulates in the 4B/3C analysis area.

The process for determining herbaceous forage was consistent with the Forest Service's Forest Plan Implementation planning process and was not a new process. This process was developed to insure compliance with the National Forest Management Act and the National Environmental Policy Act (NEPA). The process was also consistent with direction in the A-S National Forests Land Management Plan, which would be presented in more detail by Ms. Klein. The Forest Service and the Department have cooperated in previous forage distribution processes, i.e., the Aripine Resource Area (1993) (70/30 forage distribution was implemented) and Unit 4A (1998) (50/50 forage distribution was implemented).

Commission approval or support of the joint recommendation would provide the Department with specific direction regarding elk management in Unit 4B and the Baca Sub Unit in 3C consistent with herbaceous forage distribution. The Commission's action

may not affect livestock management in the analysis area. Livestock management decisions per Forest Service direction may still incorporate a forage distribution. Ms. Klein would present in more detail how the Commission's direction will or will not be considered in the AMP analysis.

The item continued with a Power Point presentation by Ms. Klein and Ms. Adams.

Ms. Klein stated both agencies have management responsibilities and authorities that impact resource conditions. The concern was with deteriorating resource conditions due to overuse, especially in riparian and wet meadow areas. Game and Fish manages wild ungulate populations on a herd hunt basis while the Forest Service manages livestock grazing on an allotment basis. Both agencies' decision-making processes needed to be combined into one process, including analysis and public involvement.

Ms. Klein reviewed Forest Service direction in addressing wild ungulate use and livestock use. The MOU between the Forest Service and the Department was reviewed.

Ms. Adams continued with reference to *Wildlife 2006*, which identifies several species-specific strategies for elk that include direction to develop cooperative action plans, including monitoring with property owners, lessees, and land management agencies to minimize elk-livestock interactions. Objectives within the Elk Operational Plan and the Commission's policy on multiple use were reviewed. This analysis will allow both livestock and wild ungulate grazing in the analysis area to continue; however, the level of use would be at a reduced level over what it is now based on habitat capability.

The 4B/3C original analysis area encompasses approximately 286,000 acres, with five grazing allotments with a portion of a sixth. The two primary allotments in this analysis were the Long Tom Allotment (sheep) and the Heber Allotment (cattle). When the distribution analysis is finished, the site-specific analysis would be initiated for those two allotments.

Mr. Hughes described forage production methodology used for the area to estimate capacity. Available forage considerations were figured out for ungulate use (10-25% on existing conditions subject to change with site-specific analysis). Current estimated herbaceous demand for livestock in the analysis area was 7.5 million pounds and 5 million pounds for wild ungulates. This means the current demand for ungulates is 12.5 million pounds.

There is about 5.9 million pounds of herbaceous forage available for grazing ungulates within the analysis area. Forage demands exceed available forage in the analysis area by approximately 6 million pounds. Combined use within the analysis area should be consistent with capacity. The rate of current use probably explains why the range is in such poor condition.

The public was invited to comment on forage recommendations. Ms. Adams described the public meeting process and the mailings to the public. The outcome of the public responses was described. Eighteen responses were received and 14 of these indicated a forage distribution recommendation, and all 14 forage distribution recommendations identified some level of distribution to wild ungulates.

Ms. Klein described the evaluation criteria used for the different recommendations. Other factors considered were land management planning standards and guidelines to insure the recommendation would be in compliance, potential impact to permitted livestock numbers, contributions of grazing to the local economy, potential impact to estimated elk populations, and wildlife recreation contributions to the economy.

Ms. Klein described the LMP standards and guidelines considered in making the recommendation. Focus was made on the Long Tom and Heber grazing allotments regarding potential impacts to permitted livestock numbers. Information was presented for pounds of forage available and pounds needed for permitted livestock. Estimated allowable use was calculated at 25% of the total, but in some instances it was 10% where production was 50 pounds or less per acre. These are usually areas where there is a lot of tree cover.

Commissioner Chilton noted the complexity of numbers since they dealt with percentages of percentages. Ms. Klein noted forage distributed to livestock refers to the amount of forage available for ungulate grazing which is a subset of the total herbaceous forage available. The most important matter looked at, basic to all resource management, is ecosystem sustainability and health of the resources. In this area, analysis of on-the-ground transects revealed poor range conditions. When this occurs, it is not prudent to set high allowable use until the land has recovered. This is the reason for use of the 25%. The remaining 75% provides for watershed and plant health, other wildlife and soil condition.

Commissioner Carter asked how numbers are derived at to be available for special status species. Ms. Klein thought it had to do with plant and range conditions and Forest Service guidelines for allowable use, and knowledge of what plants need as far as residual when they are in poor condition. This was as important for watershed health for keeping ground cover, to prevent soil erosion and for plant health as it was for wildlife species. Mr. Hughes stated that when an ID Team is formed, they look at existing conditions. At that time, a decision is made on the utilization level. Commissioner Carter noted that at another Commission meeting several years ago in Tucson, a question was asked of the A-S that if there were no elk on the ground, what would the reduction be in livestock grazing in terms of needs for wildlife, including special status wildlife. The response was 25-30%. The livestock grazing would be automatically reduced because of endangered species. There had to be a basis for determining the 75/25 general rule in terms of distribution.

Commissioner Chilton asked if the poor range condition was based on canopy cover or if the plants were in poor condition. Mr. Hughes stated tree canopy does affect range condition. The range condition looks good this year; the vigor does make a difference in the condition. Commissioner Chilton asked what percentage was full capacity range. Mr. Hughes estimated 65-70% of the whole.

Ms. Klein noted grazing contributions to the economies of Navajo and Coconino Counties.

Ms. Adams described the potential impacts to elk. As in Unit 4A, elk would be managed based on forage monitoring results. At this point, it was difficult to assess the direct

impact from each of these forage distributions would have on estimated elk populations within the analysis area. An example was given. Under the 40% distribution to wild ungulates, it would mean 2.3 million pounds. Those pounds meet only 47% of the current estimated needs within the analysis area. This does not necessarily mean a 53% reduction in the population because the population objectives would be based on monitoring. Associated with each forage distribution for wild ungulates, a wild ungulate allowable use was derived. This was the portion of allowable use on which elk would be managed. The estimated needs were based on current population estimates; the current population objective for the Unit 4B area was reduction. The estimated forage numbers were determined before that population management objective was witnessed on the ground.

Dave Cagle, Region I (Pinetop) Game Specialist, stated a modest reduction (5-10%) was expected for Unit 4B.

Ms. Adams noted wildlife recreation contributions to the economy. She noted the Forest Service and the Department had difficulties in coming up with economic impacts for livestock and wild ungulates. More detailed economic analysis would be given when site specific analysis associated with each allotment was presented. It was difficult at this programmatic level to come up with specific economics associated with grazing. Commissioner Chilton noted that livestock and hunting were not competing activities.

Ms. Klein stated the joint recommendation was 50% of available forage to wild ungulates and 50% to livestock. This provides for an equal emphasis, but would probably result in a greater percent reduction to livestock than for wild ungulates. In the case of the Forest Service, the percentage would be based on the site specific analysis decision for each allotment. In a survey done by the Eastern Counties Association, many people supported public land ranching. It was felt that this recommendation would provide for viable livestock operations and viable elk populations and meet the multiple use principles of each agency.

When allotment analyses are done, consideration must be given to wild ungulate needs. If there was agreement, the figure for wild ungulates would be used in establishing capacities for livestock. If there was no agreement, the allotments would continue to be analyzed and the current needs of wild ungulates would be taken into consideration in determining capacity. The agreement today would result in management of the elk herd within the forage recommendation within habitat capability that is then tied to allowable use.

Ms. Adams stated with the approval of the Commission for the 50/50 forage distribution, the Department would incorporate the forage distribution into its elk management for Unit 4B and the Baca Sub Unit of Unit 3C. It would enable the Department to incorporate specific habitat based parameters into elk management within the area in conjunction with traditional management criteria. The forage distribution would result in an allowable use level for elk and monitoring would be done within the analysis area to insure that elk use is consistent with that allowable use. If monitoring indicates that elk use is exceeding the forage distribution levels, then appropriate management strategies would be undertaken to try to bring use into compliance with the allowable use for elk.

This may include increased harvest or cooperative habitat improvement with the Forest Service. If there was no approval from the Commission, there would not be specific habitat based parameters to incorporate into elk management and elk would be managed within the analysis area similar in other units where there is no agreed upon forage distribution. In units where there was an agreed upon forage distribution, the hunt recommendation process with the Forest Service and the public was a lot smoother; the relationships were better.

### **Public comments**

Al Kreutz, representing the Arizona Wildlife Federation (AWF), stated the AWF supported multiple use. He attended the first meeting of this process. Two things in the process affected him at that time. One was regarding the antelope situation. In this area, cattle entered (July 1) after fawns were born in May. The second issue was that he felt the cattle rancher and wildlife got short-changed because by using 50-50, the cattlemen get a 50% reduction. There would be an attempt to reduce elk 50%. He asked why the Sheep Drive numbers were not dropped 50%. The AWF believed 50-50 was a fair and equal agreement.

Dale Owens, representing the Seibert Cattle Company, handed out reports. He stated he just entered into Forest Service allotments as far as ranching capabilities and were on the Wallace and Heber allotments. Currently, in the Heber allotment, they are allowed 4.3 cows per square mile. The report describes two approaches to determine grazing capacities in the forests: 1) forage inventory and 2) stock and monitor, which was the recommended method in the report. He wanted to be a partner with Game and Fish and the Forest Service.

Bill Brake, permittee on the Wildcat Allotment, stated he was successful in ranching because he built a good relationship with hunters, the Forest Service, Game and Fish and Rocky Mountain Elk Foundation. The Forest Service did not have time and manpower to do surveys year after year. He felt the Forest Service's data on grazing capacities was not correct and consistent in many areas, and their numbers were not working.

Jed Flake, representing the Arizona Cattle Growers Association, was concerned about the economic impacts present Game and Fish and federal agency programs would have on Arizona and the agricultural industry. He had problems with the science being used to develop total forage availability and allocation of forage. The methods used are questionable as to accuracy and validity. Science can be adapted to get pre-determined results. He believed there was more available forage than what was being presented. He believed in sound science. Increasing elk herds were using more and more forage. He asked how wildlife would be controlled in habitat that was determined to be in endangered species habitat and why was there going to be a reduction in livestock numbers, even with the 50-50 allocation, than supposedly with elk. These issues needed to be addressed.

Jack Carlisle, permittee and private landowner, stated he was not pleased with the 50/50 forage allocation.

Dave Lukens, presenting the Western Game Bird Alliance, disagreed with the stock and monitor method and the agencies should proceed with the 50-50 split. Stock and monitor has been a failure. The Forest Service has done a good analysis.

**Motion:** Carter moved and Golightly seconded THAT THE COMMISSION VOTE TO PROVIDE DIRECTION TO THE DEPARTMENT REGARDING THE JOINT RECOMMENDATION FROM THE APACHE-SITGREAVES NATIONAL FORESTS AND THE DEPARTMENT FOR HERBACEOUS FORAGE DISTRIBUTION IN THE 4B/3C ANALYSIS AREA. THIS DISTRIBUTION WILL BE INCORPORATED INTO FUTURE ALLOTMENT MANAGEMENT PLANNING EFFORTS AND ELK POPULATION MANAGEMENT OBJECTIVES IN GAME MANAGEMENT UNIT 4B AND THE BACA SUB UNIT IN GAME MANAGEMENT UNIT 3C.

Discussion followed. Commissioner Carter asked if there were instances where what was found on the ground through site-specific analysis would indicate an allowable use above the 25% threshold and was 25% the cutoff point regardless of how good conditions were. Mr. Hughes stated that there were specific areas that could allow utilization above 25%. Ms. Adams stated the forage distribution would set population objectives within the management area and would be based on monitoring. There was a slight reduction planned for that herd unit but it was not based on any specific habitat-based parameters. Dave Cagle, Region I (Pinetop) Game Specialist, stated there was over utilization in the western portion of 3C and that was one of the reasons to move forward with a slight reduction.

Commissioner Carter hoped in the future, with respect to wildlife, there would be an economic analysis in place on a county-by-county basis that would be updated annually. This would give consistency in terms of how we evaluate what wildlife recreation, including non-consumptive recreation, would mean in terms of local economies. He noted the forest health resolution that was passed by the Commission and moved on to the Western Association of Fish and Wildlife Agencies advocated a number of things: the need to look at forest health issues and improvements through demonstration projects on the ground and for Congress to recognize that conditions in the national forests have deteriorated to the point where they no longer provide protections, needs and substances for wildlife in general and for many multiple uses nationwide. He hoped that whatever plan was worked on would provide for forest health and forest restoration.

Commissioner Chilton urged that the Department and Forest Service consider cooperative habitat improvements. Something should be done to get the pie larger for all. She supported the stock and monitor approach, and most of the ranges in Arizona have shown a strong upward trend. The Forest Service did not have the staff to field check adequately those quantities; estimates were made based on canopy cover. We needed to give time to the elk management process to see how it impacts the number of foraging ungulates. Also, we need to look at systems that give a better understanding of how much exists and what the trend is.

In response to Commissioner Golightly's request, Ms. Adams described the Unit 4A forage monitoring prognosis and progress. A slide was shown. In the past three years, use within the obligated areas had lessened but was still above the allowable elk use of 13%. The elk use within the unobligated areas has been reduced but was still above what was allowed for elk. Antlerless elk reductions have been recommended in the area. It



has been estimated within the past three years there has been a 30% reduction in the elk herd and were still above allowable use.

Ms. Klein stated as a result of analysis on the Unit 4A allotments, livestock permitted numbers were reduced in the Limestone allotment by about 65%; Chevelon Canyon allotment, about 80%; Wallace allotment, about 50%; and the Clear Creek allotment, about 25-30%. The permittee on the Chevelon Canyon allotment did not graze his livestock this year. The Limestone allotment has not been grazed in 4-5 years. The Wallace and Clear Creek allotments were being grazed this year. It was too early to see improvement on the allotments. Until there was less elk use in key areas, there would not be any improvement. Recovery efforts would not be recognized with current stocking levels. Current levels of elk use were too high. In order to meet the requirements of the forest plan to control ungulate grazing within an allowable use, as a responsible resource manager, she could not look at 80% use by elk and then permit a livestock operator to come on. There was a need to gain control of the elk population.

Commissioner Carter was not convinced the numbers being used were the cap in terms of production. The Forest Service and the Department should revisit those numbers. He agreed with the 50-50 but had problems with the 75 residual/25 allowable. Ms. Klein agreed it was time to revise the AMPs. Other methods for accounting for wildlife uses would be utilized. If there was not an agreement on forage utilization, the Forest Service would use other methods, e.g., looking at the current numbers of wild ungulates, and assessing the demand. Commissioner Carter hoped the agencies would move more quickly, but not at the expense and demise of the herds.

Ms. Klein stated that as the Forest Service went into site-specific analysis, total productions numbers would be revisited. Allowable use depends on the location, range condition, production, and grazing systems (rest rotation vs. deferred grazing). The general goal was to improve the watershed condition and improve the ground cover and plant vigor. Commissioner Carter hoped middle ground could be found while the Forest Service and Department remained partners.

Chairman Manning felt direction from this Commission at this point would be premature.

Commissioner Chilton asked Ms. Klein what on-the-ground action she could solicit the Commission's cooperation with that would increase the size of the pie for all people. Ms. Klein stated prescribed burns, pinyon-juniper work, and fencing key areas (critical high elevation meadows). These endeavors do cost a lot of money since the area covered is large and it takes time to get through the necessary paperwork.

Chairman Manning noted he has seen significant reductions in calf:cow ratios in Unit 27. Information would be coming in the future that would determine some of the solutions and directions the Commission would take.

Commissioner Golightly mentioned in Unit 4A, the State Habitat Partnership Program initiated the single largest project, which was a 21 mile waterline. He believed the benefit to wildlife was 10%; the project was 90% beneficial to the rancher. The benefits to wildlife were significant when the total wildlife picture was viewed. The purpose of the project was to distribute ungulates. There was ongoing cooperative funding and applications for grants in Unit 4A. The calf:cow ratio may be headed downward.

Mr. Kennedy stated he was not prepared to offer a new motion to the Commission. With regard to the 75 residual/25 allowable issue, it was not set in stone and would be considered on a case-by-case basis. With regard to available forage, the number may need to be revisited. What the Department recommended today was 50-50 for forage distribution for Unit 4B and the Baca Sub Unit of 3C.

Ms. Klein clarified there needed to be a demonstration of some level of analysis of the potential effects. To do so, an estimate of available forage had to be developed. This was done by estimating the total herbaceous forage production. In order to come up with available forage to compare to the current demands of wild ungulates and livestock, 25% was used to come up with the available forage. This was only an estimate of available forage to compare with the current demands; it was not a number locked in stone. It was believed the demand exceeded the supply. She reminded the Commission a decision regarding AMPs and livestock stocking would not be made today.

Mr. Kennedy reiterated the 75-25 would likely change based on an allotment-by-allotment basis. Once the Department commenced work on the ID team for individual allotments, it would be noted there was agreement on a forage distribution. The Department would move forward from that point.

Mike Rising of the Apache-Sitgreaves National Forests Office stated without agreement from the Commission and Department, Ms. Klein was left with no choice but to look at the number of elk and make a decision on the cattle numbers, which would be a greater reduction than what was shown in the values presented today. Because the population had to be provided for, 50% of the available forage would be worked out in the NEPA analysis with the Forest Service, the grazing permittee and the Department. The 50-50 was the allocation of the distribution between them and would allow these parties to proceed on collaborative, cooperative measures.

**Amendment to Original Motion:** Carter moved and Golightly seconded THAT THE COMMISSION ADOPT THE JOINT RECOMMENDATION FROM THE FOREST SERVICE AND THE DEPARTMENT WITH RESPECT TO 50-50% FORAGE DISTRIBUTION BETWEEN LIVESTOCK AND WILD UNGULATES.

**Vote on Amended Motion:** Golightly and Carter – Aye  
Chilton - Nay  
Chair voted Aye  
Gilstrap – Absent  
Motion carried

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Meeting recessed at 1:37 p.m.

Meeting reconvened 1:50 p.m.

\* \* \* \* \*

13. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

**Presenter:** Leonard Ordway, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director's Office.

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## 8. Statewide Shooting Range Project Update

### **Public Comments**

John Thoesen, representing the White Mountain Shootists and other clubs, spoke regarding the need of a regional shooting facility in the Show Low area. He represented over 200 shooters in the local area. He asked for Commission support. The facility would be used on a continual basis. A packet was presented to the Commission containing letters of support from Sandra Froman, Second Vice President of the National Rifle Association; Representative Jake Flake; Arizona Representative Debra Brimhall; two police chiefs in the local area and Jerry Brownwell, Navajo County Board of Supervisors. A letter from John Cooley, Director of the White Mountain Apache Tribe Wildlife and Outdoor Recreation Division, would be provided to the Commission at a later date. Mr. Cooley stated he might also be interested in having the facility located on the White Mountain Apache Reservation.

Other individuals supporting a regional shooting range who submitted blue slips but were not present or did not wish to speak are noted in the table below:

NAME	REPRESENTING
Seth Nadel	White Mtn. Practical Shooters
Arthur Kennedy	Self
Troy Hines	White Mtn. Practical Shooters
Chris McDowell	Not Given
Andy Pardo	Andy's Ammo
John Bedway	Apache Co. Sheriff's Office
Geno Sprofera	Not Given
Lauren Paulson	" "
Paul Kraus	" "
Michael Horine	Show Low Trap & Skeet Club
Ken Peswatkin	" " " " " "
Sandee Short	" " " " " "
Diane and Randy Ornelis	Not Given
Bobbi McIntire	White Mtn. Bullseye Shooting
Tom Puckett	Shooting Club
Relf Baker	Not Given
Linda Gilbertson	White Mtn. Practical Shooters
Laurence Works	White Mtn. Old West Shootists, LLC
Charles Stein	" " " " " "
Paul Thoesen	AZ Game & Fish Shooting Range
Arthur Sellens	Not Given
Liz & David McDowell	" "
William & Dee Neubrand	" "

Regina Hines	“ “
Tony Martins	Not Given
George Shanks	“ “
N. R. Martindale	“ “
Russell Boyer	“ “
Mike & Pat Goodwin	Selves
R. B. Gamble	Not Given
Krist Jani	“ “
Rans Greenleaf	“ “
Gail Goddard	“ “
Bob Young	“ “
Lynnda Bedway	“ “
Carolynne Roush	“ “
Bill Hewel	“ “
James Tygle	Self
Charles Berstler	Arizona Rangers
Amanda McKinley	Not Given
Eric Penrod	“ “
Cliff Lynch	“ “
John Major	“ “
Andre Fleuridas	“ “
Richard Smith	White Mtn. Old West Shootists
Russ Ostrem	Self
William Armstrong	White Mtn. Trap & Skeet Club
Norman Pint	AZ Bowhunters (White Mtn. Bowhunters)
Roger Cottrell	White Mtn. Bowhunters
Thomas Cosmos	Self
Robert Walpole	Not Given
Dean Peterson	White Mtn. Bullseye Shootists
Wally Johnson	Not Given
William Faurt	“ “
Mike Mead	White Mtn. Bowhunters
Tell Turley	Self
Jolene Wilkinson	Not Given
Alan Roush	White Mtn. Practical Shooters
Dennis Opheim	Shooting Sports
Peter Bellone	Not Given
James McLarty	“ “
Ray McKnight	“ “
Jim Bliss	“ “
Kearney Johnson	“ “
Dianne Poplowski	“ “

Bill Berlat, representing self, supported a shooting range facility in the Show Low area. He stressed the need to push legislation for protecting shooting ranges already in existence. One of the ways to bring youths into shooting and hunting sports was to ensure they have a facility to go to for training and receiving instruction. Due to growth

within the state and the Show Low area, property should be located immediately on which to build the facility. He noted the Apaches had a good location in the Hon-Dah area and a shotgun facility would be very lucrative to the tribe and beneficial to the area. He thought a Department employee or a commissioner could meet with the Apaches regarding a joint effort in putting in a facility. A shotgun facility would be easier than a full shooting range to build because not that much buffer was required.

JoAnn Weldon, representing White Mountain Bullseye Shooters Club, stated she was a NRA certified instructor. She conducted a shooting class for women but there was great need for a regional shooting facility. Female shooters were increasing. Bill Weldo, representing self, supported a regional shooting facility.

Howard Buckley, representing self, told of dangers of wildcat shooting in the area and there was a great need for a regional shooting facility.

Also present, but not expressing an opinion, was Jo Baeza, writer for the *White Mountain Independent* (local newspaper)

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#### 14. An Update on Urban Interface and Wildland Forest Restoration Projects in Arizona

**Presenter:** John Kennedy, Habitat Branch Chief

In March 2001, the Commission adopted a resolution concerning forest health and forest restoration. This resolution stresses the importance of incorporating wildlife-based research and wildlife resource needs in planning and projects focused on forest health and forest restoration. Also, the resolution reaffirms the Department's interest to be directly involved in the planning, decision making and implementation of plans and projects that are focused on forest restoration in Arizona.

During the past several months, the Department has been involved in the planning and implementation of specific urban interface and wildland forest restoration projects. The Department has been invited to participate as a full member on the Arizona Advisory Committee for the Arizona-New Mexico Interface and Wildland Forest Restoration Program.

Today's presentation, followed by a tour of the Blue Ridge Demonstration Project on September 8, highlighted the fact that there are many opportunities and reasons for the Department to participate in these types of projects and reinforced the importance of the Department's direct involvement in urban interface and forest restoration projects to insure that wildlife resources are considered and addressed during development and implementation of the projects consistent with the Commission's resolution and the Department's mission.

Doctor Martin Moore, Director of Environmental Economic Communities Organization, spoke regarding restoration projects in the urban interface and projects to support restoration-based industry. Material was distributed to the Commission. A summary of major forest-type projects was provided in which the Organization was involved. Also provided was the ten-year collaborative approach and proposed policy to address forest

restoration. Restoration efforts should contain balance; there are ecosystem and wildlife needs, as well as social community needs. The Organization started the Southwest Biomass Energy Initiative and a small biomass facility should be opening in Eagar before year's end. There is also a push for a biomass facility in Show Low.

Doctor Wallace Covington, Director of Ecological Restoration Institute at Northern Arizona University, described ecological restoration, wildlife and ecological restoration, and restoration treatment size for wildlife studies. Slides were shown during his presentation. Ecological restoration was a practical framework for harmonizing human use of natural resources with the natural tendencies and rhythms of the land. Addressing wildlife in ecological restoration work and research is a problem. There are many animals to be studied; they are mobile and hard to find. Most of the work has been habitat-based; the treatment areas are too small to adequately understand animal responses to restoration treatments. One thing that needed to be done rapidly was to get large in restoration treatments. This would benefit not only the understanding of wildlife and improvement of wildlife habitat but would also address some of the other reasons for restoration, including protecting urban areas from crown fire. It was important to have support from the Commission so that progress could be made with regard to substantial ecological restoration treatments. At the request of Commissioner Chilton, Dr. Covington described the nature of a larger project. He stated, as a scientist, he would like to see a treatment area of about 10-20,000 acres, minimum, replicated in a landscape. As a person committed to "learning while doing", he would like to see 100,000 acres replicated. Dr. Covington stated he would follow-up and send more information to the Commission in the near future.

Doctor Dave Garrett from M-3 Research spoke regarding the evaluation of forest change with specific references to the Kaibab, A-S and the Lincoln National Forests as well as observations for the need of restoration programs. Slides were shown during his presentation. He described the term, "stand density index" used in ponderosa pine. This relates to densities of the number of trees by diameter on an acre. The number 450 should never be reached in a forest; the density index should be at 33% of the maximum. This means healthy forest conditions for wildlife, understory and plants. He asked for political and management support for approaching restoration on a broader landscape in the Southwest, not only to keep pace with the problem, in order to better deal with it.

Ed Collins, District Ranger for the Lakeside Ranger District, spoke regarding the natural resources working group, selection of the Blue Ridge Demonstration Project, and gave an update on tomorrow's tour. There were four goals of the natural resources working group: 1) restore ecosystems to a diverse and sustainable condition; 2) involve interested people; 3) develop opportunities and 4) share social and environmental benefits. Criteria for selecting an area include being large enough for broader evaluations; contain a variety of wildland urban interface risk levels and wildlife species and/or wildlife habitats of special concern and have an Environmental Assessment (EA) done, but should be flexible enough for a variety of prescriptions to be applied on the landscape, and provide an opportunity to demonstrate a variety of vegetative treatments that people could see and compare. The Blue Ridge Ecosystem Analysis area was selected and consists of 17,000 acres of national forest adjacent to the town of Lakeside-Pinetop. The EA was completed in April 1997. With the oversight of the natural resource working group, the Forest Service has agreed to demonstrate three distinctive vegetative treatments: 1) the Forest

Plan, which incorporates northern goshawk guidelines, Mexican owl recovery plan requirements; 2) pre-settlement restoration based on NAU's restoration guidelines and 3) natural process restoration that follows some draft guidelines proposed by the environmental community. An adjacent control area was also identified.

Commissioner Carter wanted to see options put together with regard to looking at a broader scale. It should be designed for 80,000-100,000 acres above and below the Rim. He would be interested in identifying and lobbying for funding sources both at the state and federal levels.

Commissioner Chilton stressed the need to involve local communities in these endeavors.

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Meeting recessed at 3:50 p.m.

Meeting reconvened 3:55 p.m.

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6. North Kaibab Game Cooperative Fund Budget for Fiscal Year 2002 and Five-year Work Plan as Required by the Sikes Act Agreement with the U.S. Forest Service

**Presenter:** John Goodwin, Region II Game Specialist

Each year the Commission is asked to approve the budget for the North Kaibab Game Cooperative Budget as jointly developed by Department staff and U.S. Forest Service, Kaibab National Forest personnel. Additionally, as required by the Sikes Act Cooperative Agreement approved by the Commission earlier this year, a five-year work plan for spending the funds raised under this program was presented to the Commission for approval.

A synopsis of the current and projected financial status of the North Kaibab Game Cooperative Fund is provided:

**Fiscal Year 2001**

Beginning Balance (10/1/00; FY 00 carryover)	\$ 1,278.06
Receipts (2000 permits; \$12,750 less AGFD, FS overhead)	<u>10,327.50</u>
<b>SUBTOTAL</b>	<b>\$ 11,605.56</b>

Fiscal year 01 Project/Work Costs

Expenditures (Salaries, Materials, Vehicles)	\$ 3,987.42
Check Station (Water and Sewer)	-0-
Obligated (Est. Salaries/Materials until end of FY 2001)	<u>7,618.14</u>
<b>SUBTOTAL</b>	<b>\$ 11,605.56</b>

\$11,605.56 - \$11,605.56 = \$ 0 Estimated Carryover

**Fiscal Year 2002**

Beginning Balance (10/01/01)	\$ -0-
2001 Hunt Receipts (\$17,750 less 10% AGFD overhead)	<u>\$ 15,975.00</u>
<b>SUBTOTAL</b>	\$ 15,975.00
Less Project/Work Costs in FY 2002 & USFS Overhead	\$ 15,975.00
Projected Balance (9/30/02)	\$ -0-

The following are projects proposed to be funded over the next five years by the North Kaibab Game Cooperative budget starting in Fiscal Year 2002:

**Recurring Jobs:** Snow removal at Jacob Lake Check Station and maintenance, repair and renovation of wildlife waters.

**FY 2001** (ongoing through 9/30/01):

- Bear Springs – pipe rail fence repair
- Horse Springs catchment – replace tank
- Natural Lakes – fencing using volunteer labor
- Little Springs catchment – new tank, remove garbage
- Maintenance/repair of existing waters
- NEPA for House Rock sage & pinyon-juniper treatment (USFS funds)

**FY 2002**

- Kane Ranch Natural Lakes – pipe rail fence
- House Rock Wildlife Area S & PJ treatment (1000 acres) combined funds
- NEPA for west side winter range browse seeding/planning
- Maintenance/repair of existing waters

**FY 2003**

- West side winter range browse seeding/planting-NEPA & implementation
- Construct water catchment at White Pockets
- Continue Fence Natural Lakes
- Maintenance/repair of existing waters

**FY 2004**

- NEPA for extensive east side PJ treatment
- Construct water catchment at White Pockets
- Finish Natural Lake Fencing
- Continue west side winter range browse seeding/planting
- Maintenance/repair of existing waters

**FY 2005**

- Implement east side PJ treatment
- Construct new water catchment
- Continue west side winter range browse seeding/planting
- Maintenance/repair of existing waters

**Public comment**

Blaine Bickford, representing self, spoke with regard to the possibility of the user fee being increased from \$5 to \$15 and to include bowhunters. There was a limit to the number of people who would pay. He cautioned the Department about getting into the money-making business, e.g., high fees assessed in Nevada for nonresident elk tags.



**Motion:** Carter moved and Golightly seconded THAT THE COMMISSION VOTE TO APPROVE THE NORTH KAIBAB GAME COOPERATIVE FUND BUDGET FOR FISCAL YEAR 2002 AND APPROVE THE FIVE-YEAR PROJECT PLAN FOR THESE FUNDS.

**Vote:** Golightly, Carter and Chilton – Aye  
Chair voted Aye  
Gilstrap – Absent  
Motion carried

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## 5. State and Federal Legislation

**Presenter:** Richard L. Stephenson, Legislative Liaison

Six legislative issues were presented for Commission consideration for 2002.

Fishing Tournament Permits. Commission consensus was reached to open a folder to repeal the penalty on fishing tournament permits.

Fraudulent application for hunting and fishing licenses and big game permits. Mr. Stephenson stated the Commission could direct the Department to seek legislation to increase the penalty and to possibly add revocation and/or gather additional information to evaluate the size of the problem. Commissioners Chilton and Golightly and Chairman Manning approved that all measures mentioned should be considered, i.e., increase penalty to class 2 misdemeanor; include applying by fraud, and make violation of ARS §17-341 “a revocable offense” under §17-340. Commissioner Carter wanted to see more information. A folder would be opened that would add the words, “knowingly apply for”; raise from a class 3 to a class 2 and add revocable. An attempt would be made to gather additional information prior to January.

License dealer penalties. As a result of audit recommendations, legislation could be pursued to create monetary penalties for dealers who do not remit monies by the 10<sup>th</sup> of the month, and a folder could be opened to show good faith to the Joint Legislative Audit Review Committee or the Department would go to the Committee hearing and explain that, based on additional research, the issue could be handled by policy and statutory change is not needed. The Commission agreed on the latter (second) option.

Commission Declare City/County Ordinances “Invalid”. There have been recent actions by cities and counties that have had potential to infringe upon the authorities and responsibilities reserved in statute for the Commission. Some options were to 1) seek introduction of legislation that would assert the state’s sole authority in the management and regulation of wildlife or 2) continue to work with the cities, counties and Governor in further developing understandings of the roles, authorities and responsibilities of the state, cities and counties in the management and regulation of the state’s wildlife. Commission consensus was to proceed with Option 2.

Commission and Board Member Compensation. Another issue was to seek possible legislation to increase the compensation for the Game and Fish Commission within Title 17 or work through the Governor’s Office to review Title 38, Section 611, which

addresses compensation for all state boards and commissions. Commissioners Golightly, Carter and Chilton directed the Department not to proceed with legislation.

Mearns' quail stamp. This issue was brought up from outside the Department. There were many options available. These would include the opportunity for the Department to develop legislation in partnership with those pursuing the effort, wait for legislation to be introduced then look at it, or the Commission could address the issue by rule pursuant to ARS §17-333.b, or leave it alone.

### **Public comment**

Dave Lukens, representing the Western Game Bird Alliance, stated the best option was to wait, look and oppose. There were too many stamps already. He advised against having permits for Mearns' quail. If there was to be a stamp, he wanted it to be a habitat stamp to insure the monies would be used by the Department to buy land and conservation easements. The Arizona Quail Alliance (AQA) wanted to reduce hunting and wanted to put its survey on Game and Fish Department wing barrel boxes. Mr. Taubert stated the Department did look at the survey and thought there were biases; therefore, Mr. Engle-Wilson, Small Game Biologist, would contact both quail groups to ask them to fund a survey similar to the one the Department conducted with National Wild Turkey Federation monies. This would consist of unbiased general questions to get a sense of how to proceed in the future. Also, the Assistant Attorney General looked at the AQA survey and had some problems with its legality.

Commissioner Carter preferred to stay away from the legislative run on this issue and wanted to try to address it through existing rules and policies. Commissioner Golightly thought that perhaps the Department could help the group craft its own language if legislation on the issue were pursued. Chairman Manning was against any group usurping game management and removing authority from the Commission. He did not feel there was a need for a Mearns' quail stamp. Mr. Adkins added he had not had a chance to research that the Commission had authority to do anything by rule.

After discussion, Commission consensus was to close the issue, but Commissioner Carter wanted to maintain dialog with the AQA.

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### 7. Request to Authorize a New Limited Position from the Heritage Carry-Forward Budget

**Presenter:** Joe Janisch, Information Branch Chief

This item was tabled to the October Commission meeting.

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8. Statewide Shooting Range Project Update – cont'd.

**Presenter:** Kerry Baldwin, Education Branch Chief

Written updates were provided to the Commission on various issues in the program prior to today's meeting.

Updates were provided regarding the current status with Pima County Parks and Recreation, Tucson Rod and Gun Club, Loquachi Bowhunters, a meeting with the Forest Service and Bureau of Land Management (BLM) on metro Phoenix shooting ranges, and some Bellement issues, including a meeting with Lonnie McCleve.

Director Shroufe gave an update on the Bellemont issue. He stated he personally contacted the Regional Forester and also talked to the division head for lands in the Regional office. There has been no response regarding indemnification. Director Shroufe expected to talk to the Forest Service's Washington, D.C. staff next week at the International Association of Fish and Wildlife Agencies meeting in Wichita, Kansas. Local people have been given enough time to respond. Commissioner Golightly suggested that the Commission look at other options to save a shooting range in northern Arizona. Mr. Baldwin stated that there has been some water work that indicates the east side of the property where McCleve is building is the dry section. There is high probability that water would not be found on that particular property.

Since the last meeting, the Forest Service rejected the appeal of McCleve and upheld the original EA and decision of Supervisor Golden; McCleve has no further options. Messrs. Adkins, Baldwin and Bloom (Fred) met with McCleve on his property. Based on discussions at the Forest Service negotiated meeting on McCleve's appeal, McCleve's issues were focused more around safety. The Department believed it could accommodate his requests with regard to safety. This was not the case any more, however. McCleve was still stuck on the sound issue. The Department would get its sound expert to meet with McCleve's sound expert to take a look at opportunities in the designs that might exist to further reduce sound. McCleve has no realistic number at which the Department can reduce the sound to. McCleve stated he would postpone filing court action until there was one more meeting to look at sound issues. McCleve's water source would not be on the east side; it would be on the west side. The Department was working with the Federal Aid staff to use federal funding for initial construction. Federal Aid staff wants the Department to insure a 25-year tenure on the range before construction begins. A critical piece to have for Bellemont is a Range Protection Act because of its location. The right-of-way access issue has been resolved to the Department's satisfaction.

Commissioner Carter wanted the Arizona Congressional delegation briefed regarding Game and Fish's frustration on getting this shooting facility built.

Mr. Baldwin stated a meeting was held with the Forest Service, the Department and BLM. The meeting was generated as a result of Tonto National Forest (NF) closing 80,000 acres of land adjacent to the Phoenix metro boundaries in mid August. The Department was concerned that there would be closure with little option to look at other ways to find realistic recreational shooting opportunities. The Tonto NF Supervisor thought there were opportunities in the closed area to identify both formal and informal

shooting opportunities. The BLM staff was supportive of the concept on BLM lands in the same urban wildland interface around Phoenix as well as on a statewide basis and that we need to recognize dispersed shooting was an issue of growing concern. The agencies could deal with problems that currently exist. A result of the meeting was a formation of a task force; the Department plans to be the lead agency (Jim Burton will be task leader). It is hoped there would be a major product available by the end of November to show recreational shooters a commitment to getting things done and not just studying issues. Specific sites would be identified on Forest, BLM and state lands that would meet basic criteria of safe shooting points. It is hoped to bring the State Land Department into the task force. There is a need to find out what shooters need and why they are not using existing shooting ranges. Information would be made available to the public. If the model was successful around the Phoenix metro area, the intention was to use it on a statewide basis. Carl Rountree (BLM) supports this concept in the task force and the idea could be applied elsewhere. A meeting will be held next week to form the task force. A press release will be issued next week stating what will be accomplished. During the next few months, public meetings will be held and the public will be surveyed. Mr. Baldwin noted the Department already received a task to bring to the Commission before year's end a strategic document on statewide shooting range opportunities. Thus far, locations of existing ranges and a general radius of travel have been identified. Major geographical voids have been sited and lands will be considered that meet Department criteria.

Mr. Baldwin talked with the Director of Pima County Parks and Recreation. Loren Kramer has been hired as the consultant and has given them a rough design of the range. The design will be reviewed by Mr. Baldwin and Don Turner, Rangemaster at the Ben Avery Shooting Facility. Pima County has support from the Tucson county manager and the council.

Mr. Baldwin stated Tucson Rod and Gun Club has utilized the services of an outside consultant to take the basic criteria the Forest Service provided to them about the range operation and the Club feels it has come up with a design that would meet the criteria of the Forest Service. The Forest Service now feels the facility needs to be in a completely enclosed building. The Club has submitted documents from its consultant to the Forest Service for a decision. It appears that there will probably not be assistance from the Arizona Congressional delegation for a range.

The Loquachi Bowhunters now have a special use permit for an archery range. The permit has gone to the side and they are trying to re-establish it with the Forest Service. Since the old permit was given to them, a wilderness designation now cuts off about 25% of the old range. The range must now be on 15 acres instead of 20 acres. The Forest Service would be willing to give them a permit on the 15 acre site.

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#### 11. Call to the Public

Al Kreutz, representing the Arizona Wildlife Federation, commented that there was an EA coming up in the Greer allotment to move the entry date for livestock from July 1 to June 1. He was opposed to this because of the antelope moving down from Sunrise

through the valley. Also, he suggested considering state lands for some of the proposed shooting facilities. He asked if the Commission or Department has done anything to correct the three points on the Kaibab he brought up in April, i.e., the Conservation Permit for everyone; a drawing for the bowhunters; and the 10% nonresident hunters. Director Shroufe stated the Department would be getting back soon with Mr. Kreutz.

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#### 9. Appointment of Heritage Public Advisory Committee Member

**Presenter:** Steve K. Ferrell, Deputy Director

According to the Heritage Public Advisory Committee (HPAC) charter, two members are to represent each Region, in addition to two statewide members and one national member. The Region IV position, formerly held by Elroy Masters, is now vacant. The term for the position is for three years (March 30, 1999 through March 30, 2002). The appointee will serve the remainder of the term.

Two nominees were offered for Commission consideration: Susanna Goad Henry and Roberta J. McDermott.

**Motion:** Carter moved and Golightly seconded THAT THE COMMISSION APPOINT SUSANNE GOAD HENRY TO FILL THIS VACANCY.

Commissioner Chilton did not know either candidate. Ms. Henry's spouse is a Department employee. She would like to see Ms. McDermott nominated. She had only the written information to go by. These were two federal government employees from which to select and there were two different agency cultures represented. The one was the U.S. Fish and Wildlife Service (FWS), the other was the Natural Resources Conservation Service (NRCS). The FWS is a mandatory regulatory behemoth. The NRCS has a mission statement that is entirely different from FWS. All of its cooperators must be convinced that what will be done will be productive and valuable to both. Ms. Henry's designated email address was the FWS. Ms. McDermott's email is her home's. Ms. McDermott's credentials are more noteworthy. If Ms. Henry were selected, the Commission would be putting the most powerful federal agency representative on HPAC.

Commissioner Carter had some of the same concerns as Commissioner Chilton. Eight of the 16 appointees' terms would expire next March. New and reappointments will be considered. He hoped the other commissioners would convey their thoughts to either Mr. Shroufe or Mr. Ferrell about the current committee members with respect to whether there was interest for continuation. Some of the members of the committee feel that HPAC is moving with recommendations being brought forth from individuals who represent agencies who have the resources and time to do HPAC matters during duty hours to cover costs. He asked if that was the intent of general public involvement or if HPAC was just getting additional agency involvement in programs. With respect to the appointments now, the appointee would fulfill the remainder of a vacancy, which meant the individual would have input at one meeting before the term expired. He hoped the recruiting process would include other individuals being brought nominated. He felt that maybe another committee had been created that consisted of agencies.

**Vote:** Golightly and Carter – Aye  
Chilton - Nay  
Chair voted Nay  
Gilstrap – Absent  
Motion failed to pass

Chairman Manning asked the Department to consider more candidates for this vacancy and return to the Commission in October with other recommendations. The issue was tabled until the October meeting.

Commissioner Golightly felt Ms. Henry would be capable in the HPAC position and would be able to put FWS business aside.

Mr. Ferrell referenced the HPAC charter and there always has been agency people on the committee. The issue could be addressed in October as to whether or not there should not be more than one representative from a land management agency on HPAC.

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#### 10. Rescheduling of 2002-03 Commission Meetings

**Presenter:** Steve K. Ferrell, Deputy Director

The Commission reconsidered its meeting schedule for January 2002-January 2003, which was adopted at the June 2001 Commission meeting.

Commissioner Gilstrap asked to move the legislative reception scheduled for Thursday, January 17, 2002, to Wednesday, January 16, 2002. The other events would retain scheduled dates in January.

**Motion:** Carter moved and Manning seconded THAT THE COMMISSION VOTE TO CHANGE THE DATE OF THE LEGISLATIVE RECEPTION TO WEDNESDAY, JANUARY 16, 2002.

**Vote:** Carter – Aye  
Chilton and Golightly - Nay  
Chair voted Aye  
Gilstrap – Absent  
Motion failed to carry

Director Shroufe explained there would not be any legislative reception according to the vote. Jim Burton, Assistant Director for Information and Education, explained that the reception could not occur on Friday because the legislators would be gone. Thursday was tribal day (in statute) on both the Senate and House calendars. Wednesday was the next available day and Wesley Bolin Plaza was available only on Wednesday.

**Motion to reconsider:** Carter moved and Manning seconded THE SUBSTITUTION OF THE DATES DISCUSSED.

**Vote:** Golightly, Carter and Chilton – Aye

Chair voted Aye

Gilstrap – Absent

Motion passed

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12. Alternate Access Route into the Northern Portion of the Mule Mountains Southeast of Tombstone, Arizona in Unit 30B

**Presenter:** Fred Bloom, Development Branch Chief

(For additional information and background, see Commission meeting minutes for March 23, 2001, pages 1-5 and March 17, 2000, page 4.)

Historical access to Dry Canyon and the northern portion of the Mule Mountains has been by a road heading south from Davis Road, approximately 16 miles southeast of Tombstone. The access point to this road traverses approximately ¼ mile on private property prior to entering State Trust land. Currently, the landowner is denying public access at this location via a locked gate. The only existing alternate access to the area is by the High Lonesome Road to the east and requires over an hour of additional travel time across extremely poor roads.

At the March 2001 Commission meeting, the Commission directed the Department to pursue two specific actions. These included initiating the process of acquiring a recreational easement from the State Land Department for the construction of a new road segment around the private property, while continuing to establish a stewardship agreement with the private landowner, Ruth Cowan.

Since that meeting, the Department submitted a draft stewardship agreement to Ms. Cowan in early May. After numerous attempts to contact Ms. Cowan, the Department finally met with her on July 10, 2001, to further negotiate the terms of the agreement. Since that meeting, the Department has also responded to several requests from Ms. Cowan for additional information. The Department has been unsuccessful in resolving her issues to date. The Department also submitted an application to the State Land Department to establish a recreational easement for an alternative access route. The application package included an archaeological survey and the proposed alignment for a new road segment. The road would access State Trust land east of the private property access where it would traverse approximately ¼ mile in a southwesterly direction connecting with the existing road system. This alternative has met with substantial resistance from Ms. Cowan and other private entities in the surrounding area. Recent conversation with the State Land Department indicates a recommendation that the Department withdraw its application for an easement.

Mr. Bloom stated he recently received a fax that was relevant to this issue. The Commission received a copy of the fax. The fax was from the Arizona State Land Department asking that the Department withdraw its application. This request was made

because it was “a political nightmare for their agency and our Department.” State Land stated they hated to deny it and want to avoid issuing a denial order. This would be “politically very bad for the future of the Department’s access program; that this would taint future and ongoing access efforts and may attract the interest of the press.”

On August 15, 2001, Department personnel met with Commissioner Carter, County Supervisor Leslie Thompson and Ms. Cowan. After discussing various alternatives pursued to date, it was decided that all parties would drive the access route from the High Lonesome Road. It was agreed that this route is much more rugged and time consuming. Supervisor Thompson suggested that with road improvements and a commitment to annual maintenance, establishing this route as the primary recreational access into the area might be the best alternative. He indicated there might be a possibility of the county and the Department working together through an Intergovernmental Agreement to accomplish this goal.

Supervisor Thompson agreed to have the county Public Works Department research the easement status along the High Lonesome Road, which traverses through private, BLM and State Trust lands. The evaluation resulted in a determination that the easement through the private property section was apparently returned to the landowner some time ago; therefore, the viability of this option will be contingent upon establishment of an agreement with the landowner. Subsequent efforts to have the county facilitate a meeting between the private landowner, county and Department were unsuccessful. However, regional personnel contacted the landowner yesterday who indicated he was amenable to maintaining current access as is but was adamantly opposed to any improvements to the roadway. He stated if the issue were pushed, he would start his own campaign.

Because of these latest developments, the Department requested further direction from the Commission in its efforts to establish recreational access in this area.

### **Public comment**

Dave Lukens, representing the Western Game Bird Alliance, referenced the March meeting on the same issue and the stand the Commission took at that time. He asked that the Commission “stick to its guns.”

Commissioner Carter hoped that the county would be more aggressive in working with the Department on this matter. He reaffirmed direction to the Department; i.e., work on two fronts. One was to apply for the recreational easement from the State Land Department; second, dialog was needed with the county to see whether or not it could work with the Department in identifying some other access, if in fact, the State Land Department chooses to deny the Department’s application. He did not want to withdraw the application.

Commissioner Golightly concurred with Commissioner Carter. He thought the press would drive the issue. He believed there was so much case law behind the Commission for recreational easements issued from the State Land Department that this was a model case for hunter access. He reaffirmed the direction to the Department.



Commissioner Chilton agreed with the other commissioners. This was not the only access issue where the same suite of problems could be raised as a reason to close out hunters. This was not a good place to give ground.

Chairman Manning stated there was no way the Commission would withdraw the request for the easement. The land belongs to the people of Arizona.

Commissioner Carter stated he would call the State Land Commissioner and tell him why the Commission was not withdrawing its request. Attempts to look at other properties generated the same debate and there was a mile of private land east that we have to deal with because of the way it was presented to the county.

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#### 15. Call to the Public

There were no comments.

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#### 16. Approval of Minutes

**Motion:** Golightly moved and Carter seconded THAT THE COMMISSION APPROVE THE MINUTES FOR AUGUST 1, 2001 AND AUGUST 10-11, 2001.

**Vote:** Golightly, Carter and Chilton – Aye  
Chair voted Aye  
Gilstrap – Absent  
Motion carried

The minutes for June 22-23, 2001 were signed.

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#### 17. Director's and Chairman's Reports

Chairman Manning participated in a telephone conference call on August 21, 2001, concerning correction of the Department's hunt draw error. He attended the Outdoor Hall of Fame banquet.

Director Shroufe referenced the written updates from the Divisions were provided to the Commission. The status of license dealers should be noted in the update.

Director Shroufe attended a management team meeting. The Department successfully hosted the American Fisheries Society convention with over 1400 people in attendance. He attended the Outdoor Hall of Fame banquet. He met twice with the Forest Service and BLM regarding the recreational shooting issue. He attended a Cabinet meeting this past Wednesday. The Governor has given instruction to all general fund agencies to mandatorily reduce annual budgets by 4%. She would call a special session of the Legislature in November to address those issues. The Department was exempt from the budget reduction at this time.

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18. Commissioners' Reports

Commissioner Chilton attended the Altar Valley Conservation Alliance Workshop and Sonoran Desert Conservation Plan Workshop and the Mearns' Quail Symposium.

Commissioner Carter attended several sessions on the High Lonesome Road alternative. He chaired the Heritage Public Advisory Committee meeting.

Commissioner Golightly gave no report.

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19. Future Agenda Items

Commissioner Carter stated Commissioner Gilstrap requested that the following item be placed on the October agenda: Continue discussions regarding the land acquisition process and the makeup of the Committee that deals with those issues; i.e., participation by a commissioner or commissioners.

Commissioner Carter requested that a year-to-date quarterly financial report be prepared by the Department and put in the briefing packet to the Commission. The Commission may request formal presentations.

Chairman Manning stated the Department needed to make a recommendation in October to the Commission regarding the Management Plan for the black-tailed prairie dog. Also, after the Fish and Wildlife Service publishes direction in the *Federal Register* as a result of the wolf workshop in August, the Commission will need to discuss direction it will be taking.

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**Motion:** Carter moved and Golightly seconded THAT THE COMMISSION RECONVENE INTO EXECUTIVE SESSION.

**Vote:** Golightly, Carter and Chilton – Aye  
Chair voted Aye  
Gilstrap – Absent  
Motion carried

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Meeting recessed at 6:00 p.m.

Meeting reconvened 6:30 p.m.

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**Motion:** Carter moved and Chilton seconded THAT THE MEETING ADJOURN.

**Vote:** Golightly, Carter and Chilton – Aye  
Chair voted Aye  
Gilstrap – Absent  
Motion carried

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Meeting adjourned 6:30 p.m.

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Saturday, September 8, 2001 – 8:00 a.m.

1. An Update on Urban Interface and Wildland Forest Restoration Projects in Arizona

**Presenter:** John Kennedy, Habitat Branch Chief

A tour was taken of the Blue Ridge Demonstration Project. No official action was taken.

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